

# CHURCH AND STATE

## A MONTHLY REVIEW



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### Textbook Throws 'Guiding Light' On Church-Supremacy Doctrine

"... The State ... has a real part to play in the drama of human life; but the divine Author of the drama wrote the State's part as a supporting role to that of the Church. There must be no usurpation." So reads a key passage in the section on *The Relations of Church and State*, occupying pages 94-102 of the Roman Catholic high school textbook, *Christian Principles and National Problems*, published in 1945 by William H. Sadlier, Inc., New York. A volume in the Social Studies

duty of civil society. The State, therefore, has a real part to play in the drama of human life; but the divine Author of the drama wrote the State's part as a supporting role to that of the Church. There must be no usurpation.

Series, the book bears the Imprimatur of Francis J. (now Cardinal) Spellman, Archbishop of New York, and is described by General Editor Charles J. Mahoney, superintendent of the Diocese of Rochester, as a "study of the social problems of American life under the guiding light of the social doctrine of the Church. . . ." The authors are the Rev. Anthony L. Ostheimer of the Roman Catholic High School in Philadelphia and the Rev. John P. Delaney, S. J., then associate editor of the Jesuit weekly, *America*.

Under "RELIGIOUS DUTY OF STATE" (p. 98), the book observes: "We have seen that the State cannot ignore religion, for civil society must acknowledge the fact that it owes its existence to God. The State, like man, has the duty of making a 'public profession of religion,' in order to permit man's complete expression of his dependence on God.

"God Himself, however, has ordained the way in which His creatures are to worship Him. The doctrine of the Church, founded on reason and divine revelation, is that *the State must profess and promote not any religion, but the one true form of worship founded by Christ and continuing today in the Catholic Church alone. Such public profession*

*of the true religion as a moral duty on the part of the State will of necessity bring the State into some relation with Catholicism, the only complete expression of God's revealed truth. As an ideal, then, Church and State should be united in their efforts.* (Emphasis added.)

"THE MEANING OF UNION. The union of Church and State does not imply such a unity in which either is absorbed by the other. Church and State, each having its own self-sufficiency of means, must be free to perform their separate and proper functions. Of course there should be cooperation between them, but positive action on the part of the State in the Church's work is not necessary. The Church's freedom to be unrestrained in her mission is all that is needed. . . .

The doctrine of the Church, founded on reason and divine revelation, is that the State must profess and promote not any religion, but the one true form of worship founded by Christ and continuing today in the Catholic Church alone.

"Christian truth should not only have the permission of the State for its propagation, it should also be assured the State's support and encouragement. . . ."

*Christian Principles and National Problems* throws further light on the Roman Catholic attitude towards democracy in its passage on "TOLERATION OF FALSE WORSHIP" (p. 99):

"In the ideal relation of Church and State the Catholic religion will be officially recognized as the true re-

ligion. This does not mean that everyone would be forced to accept Catholicism or that no other religion would be tolerated. Acceptance of the Faith, being an act of man's free will, can come only from the individual with the help of God; conversion cannot be forced on anyone. The non-Catholic and the non-baptized should be permitted to carry on their own form of worship as long as there would be no danger of scandal or perversion to the faithful. . . ."

Christian truth should not only have the permission of the State for its propagation, it should also be assured the State's support and encouragement.

Continuing, the parochial high school text discusses "TOLERATION OF ERROR" (p. 100):

"A separate question concerns the propagation of false doctrines among Catholics. Here the State would have to protect its citizens, for the dissemination of error could become a source of positive harm to the faithful and hence a threat to the common good. . . ."

On the subject of "SEPARATION OF CHURCH AND STATE," *Christian Principles and National Problems* has this to say (p. 101):

"The modern age has witnessed a general disregard for the harmony, cooperation, and natural recognition of rights that should exist between Church and State. The totalitarian State, claiming complete supremacy over man, is not a new idea; it is but the climax of a series of events which would tear the Church apart from the State. The liberals of the nineteenth century would not admit the Church to public life. They demanded its subordination to the State and in some instances cried out for its complete destruction.

"A free Church is [read "in"] a free State' was the slogan used to enslave the Church by restricting her (Continued on page 6)

## Claims Catholics 'Give' Public Schools Billion

The public schools of this country benefit from Roman Catholic benevolence to the tune of more than a billion dollars a year, Philadelphia Archbishop John F. O'Hara asserted in a front-page editorial appearing July 29 in the archdiocesan weekly, *The Catholic Standard and Times*. The archbishop's sensational claim was based, on the one hand, upon an interpretation of government statistics, and on the other, upon a misuse of the word "contributions" when "tax payments" were really meant. In short, Archbishop O'Hara took a familiar clerical argument and dressed it up in "facts and figures" while thoroughly obscuring the underlying issues.

POAU has reprinted in pamphlet form the classic statement made last March by Vermont State Senator Graham S. Newell on the school bus question, and the following passage from that statement bears directly on the specious argument advanced by Archbishop O'Hara and his colleagues:

"I have received dozens and dozens of letters from proponents of this [school bus] bill urging its passage solely because parents of private school children are, as they say, being doubly taxed. Now what is the logical extension of their argument? If equal transportation facilities to private school children are to be provided, then by the same token, why not pay for their books, their teachers' salaries and school buildings since their parents are paying taxes also for these very purposes in the public schools?

"I would remind these persons that in the some 150 years during which the property tax has been used to support local public education, hundreds of bachelors, single women, and childless married couples have helped to foot the bill—and they still do—and they accept the principle that everyone should share in the schools which are provided for all. If that is not a sound democratic principle, then I cannot recognize one.

"But this argument of so-called 'double taxation' can be reversed. As matters stand today, some Vermonters are supporting two school systems: one, the town school system, which is required by law, and the other, a parochial or private school, support of which is voluntary on their part. They need only support the public system. If S. 50 [the parochial school bus bill—later defeated] be-

comes the law, many of our citizens, including myself, will be forced to aid two school systems, both of which we would be supporting involuntarily—and that is what I might call 'double taxation.'"

(Single copies of POAU's reprint, entitled *Double Jeopardy*, may be obtained free, 25 copies for 30c, 100 for \$1.00. Write to headquarters.)

Six years ago, former Congressman Andrew Jacobs of Marion County, Indiana, demonstrated that a Roman Catholic layman (no less than a Vermont Protestant) could see through the "double-taxation" argument. Opposing any government aid to religious schools, Jacobs, father of three children educated in parochial schools, declared that religious freedom was a two-way street and that churches wishing to be free of government control must refuse to accept government subsidization. "So long as we have the same right to send our children to public schools as anyone else, we are not discriminated against, and as Catholics we do not have a right to a separate publicly-supported school system, nor does any other group of people have that right."

Nevertheless, Archbishop O'Hara insists that taxes paid by Roman Catholics for the support of public schools, together with their support of parochial schools, are "contributions" to the public school system for which they deserve some kind of public reward or gratitude. "Contribution No. 1," he observes in the editorial, was the \$500,000,000 expended for parochial school construction and the \$620,692,000 for parochial school operating expenses in 1954. "Contribution No. 2 is the local tax paid by Catholics along with their fellow-citizens." "Contribution No. 3 is the state tax, which, like the local tax, is paid alike by Catholics and non-Catholics. It is the unused portion of these two taxes, representing the education expense of 62 per cent of our elementary school pupils and 40 per cent of our high school students, that makes up the gift of \$1,120,692,000 to the public schools." "Contribution No. 4 exists in California, where in spite of a law to the contrary, real estate taxes are imposed on parochial schools." "Contribution No. 4 for the rest of the country (No. 5 for California) as proposed is the current bill for federal aid to public schools."

The archbishop gave an additional flourish to his argument by comparing Catholic taxpayers' "contributions" to Congressional appropriations, saying that "the Catholics of this country, by the construction and

operation of their own schools, are doing considerably more for the public schools than the federal government proposes to do. . . ." He was referring to the latest compromise federal aid program for school construction, a 4-year, 1.6 billion dollar grant-loan bill drafted by Representative Augustine B. Kelley's subcommittee, was favorably reported by the House Education and Labor Committee but failed to move up for a vote before adjournment of Congress. Actually, all such bills have been opposed by Roman Catholic organizations and prelates because only public schools are slated to benefit (*Church and State*, March and June).

The absurdity of the archbishop's comparisons becomes apparent when the kind of education provided in parochial schools is considered. Such schools are wholly dedicated to the propagation of a religious faith which is believed by its adherents to be the "only true" one. They do not provide "public" education and it is no part of their purpose to "save" the taxpayers any money—on the contrary, Roman Catholic leaders persistently complain about the taxation of Catholics for support of public schools and demand that such taxpayers be compensated by government subsidization of parochial schools. Nor is there any point in advancing "iffy" arguments, such as: "If all Catholics were to send their children to public schools. . . ." All Catholics will *not* send their children to public schools because their church forbids them (in Canon 1374) to do so if they can possibly avoid it. The taxpayers of the United States are under no obligation to support religious indoctrination and no one is "saving" them any money here.

### Church and State

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## NEWS From Far and Near

◆ "It is estimated that the cost of furnishing one special die or stamp for use at each of the 10,053 first- and second-class post offices would be about \$250,000," the Post Office Department advised Chairman Olin D. Johnston of the Senate Post Office and Civil Service Committee in a letter (signed by Solicitor Abe McGregor Goff) stating the Department's opposition to H. R. 692, a bill to authorize use of "Pray for Peace" cancellations. "It is not believed," the letter continued, "that the benefits, if any, that would result under this legislation would warrant such an increase in the postal deficit. . . ." The bill was sponsored by Representative Louis C. Rabaut of Michigan.

◆ The Belgian Senate passed the administration's school reform bill, cutting subsidies to church schools, on July 21, sending the measure to King Baudouin for signature. Earlier, the Government had offered to accept a Roman Catholic "compromise" proposal for a commission to study the question if the Social Christian (Roman Catholic) Party would agree to a suspension of the school subsidy laws until the commission could make its report. This condition was rejected by Social Christian Party leaders and the bill came up for debate and vote. It was adopted, after a session of record-breaking length, 91-0, the Catholic senators having walked out. (See also, "Church and State," July.)

◆ Alms solicitation at the Pentagon by members of the Little Sisters of the Poor, a Roman Catholic order, has raised a question of favoritism. Government Services Administration. Rules are said to contain a general ban on such solicitation, but a specific exemption has been made for the Little Sisters. Officials promised to reconsider the matter after POAU, the Washington Federation of Churches, the National Association of Evangelicals and other organizations contended that the exemption amounted to a grant of special privilege.

◆ A fine of 3,000 lire (\$14.83) and a suspended 10-day jail sentence have been imposed on Cline R. Paden, an American Church of Christ missionary in Rome, for having placed an identification sign on his sect's building without police permission. Paden is appealing, contending that the Italian Constitution, as interpreted by an earlier court decision, gives churches the right to publicize their activities without official permission. The Rev. Manfredo Ronchi of the Baptist Union of Italy and other evangelical churches are backing Paden in his stand. ("Church and State," April and May.)

◆ Whether Congressional action is needed to strengthen religious liberty will be the question to be considered at Washington hearings scheduled for the week of October 3. These hearings will be the first of a series to be held by the Senate Subcommittee on Constitutional Rights under the chairmanship of Senator Thomas C. Hennings, Jr., of Missouri. There are two other subcommittee members, Joseph C. O'Mahoney of Wyoming and William Langer of North Dakota. Each of the ten amendments comprising the Bill of Rights will be considered in turn in the light of current conditions.

◆ Equal juridical, financial and other rights for Protestant parishes in Schwyz, Switzerland, are provided for in an amendment to the cantonal constitution recently approved by the Grand Council. To take effect, the amendment must be approved by the voters in this predominantly Roman Catholic Alpine canon. The move followed earlier action in the Swiss Council of States (upper house of parliament) to lift the historic constitutional ban on Jesuit activities ("Church and State," July)—signs that both Protestants and Catholics are awakening to the need for just treatment of minorities in all parts of Switzerland.

◆ The lower house of the New Hampshire legislature has rejected 201-123, a bill previously passed by the Senate to set up a \$10,000,000 state fund for reduced-interest loans to finance non-public school construction. Opponents of the bill said it was "unfair for private schools to save money at the expense of the state."

## World Baptists Outline Fundamentals of Freedom

"We intend to remain free, and help others to achieve freedom," 8,000 delegates of the Baptist World Alliance unanimously resolved on July 21 during their London assembly.

"Intolerant churches and systems of religious organization," they continued, "can be as grave a menace to liberty as governments." The resolution, offered by Dr. Stanley I. Stuber of New York (a speaker at POAU's Seventh National Conference on Church and State last January), laid down five basic requirements for the true enjoyment of freedom:

"That the right to be free is a gift from God to all men of whatever race. A person is not physically born into a religious faith, but must of his own free will enter upon his inheritance as a child of God.

"That a man's right to choose or change his faith must be preserved, as well as his liberty to dissent or to make objection because of conscience's sake.

"That toleration is not enough; that freedom to worship is not enough. As Baptists we seek not be tolerated but to be accepted everywhere as equals in Christ with all the privileges and responsibility of loyal citizens. . . .

"That real religious liberty guarantees not only freedom to worship privately and publicly, but the right to teach, preach, publish and advocate, openly and without hindrance, the gospel of Christ or other religious convictions.

"That our churches must be free from the interference of the state, that all our churches should, so far as their principles permit, abide by the laws of the state and loyally cooperate with the civil authorities in helping to create a community in which freedom of the press, speech and assembly and social righteousness, will be assured."

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## Seven-Year Volume Yours for \$3.50

For only \$3.50 you can have all the issues of *Church and State* for the first seven years of its existence (1948 through 1954), bound in a single volume, with indexes. Send your remittance to POAU today, while the supply lasts. The volume is in much demand.

## Oslo Bishop Attests to Falsity Of Knights of Columbus Charge

The Roman Catholic Bishop of Oslo, Norway, says it isn't so, but officials of the religious information bureau of the Knights of Columbus and Catholic prelates and editors who have been circulating a false charge against Norway (among other countries) for nearly a year (see *Church and State*, June and July) have as yet taken no step to retract their slander as this issue of *Church and State* goes to press. The statement in Oslo by Bishop Jac. Mangers was made on official diocesan stationery on July 14 in response to a request of the Norwegian foreign office, and said in its entirety:

"This is to certify that there is no Norwegian [*sic*] law which requires the approval for catholic [*sic*] marriages of a Lutheran or a non-Catholic clergyman [*sic*].

"Therefore I trust that the mistake in the statement of Bishop [James H.] Griffiths will [*sic*] be rectified. [Bishop Griffiths of the Military Ordinariate in the United States had been cited by Knights of Columbus spokesmen as authority for their assertion concerning Norway.]"

After obtaining a photostatic copy of the Oslo bishop's statement, *Church and State* Managing Editor Stanley Lichtenstein wrote on July 20 to Bishop Griffiths, observing:

"Your erroneous charge, widely quoted in the American press last January during the controversy over the attempted U. S.-Spanish mixed marriage agreement, has since been repeated in advertisements of the Religious Information Bureau of the Supreme Council, Knights of Columbus. Clearly, you have a moral obligation to publicly retract your false statement, which has been read by millions, and to see that the publications which carried it in their news and advertising columns now carry a correction in the same columns."

Lichtenstein also wrote to the Rev. Donald V. Fallon of the Knights of Columbus religious information bureau and to the editors of *America* and *The Commonweal*. (He chose the latter two from among many Roman Catholic journals which had carried the charge because he regarded them as somewhat more responsible than their brother publications.) As of this writing, the replies received have been as follows:

From Bishop Griffiths' secretary, A. Costadasi, on July 27: "... Bishop Griffiths has been out of the office for the past month and will not return until 15 September. At that time please be assured that I shall bring your letter to his immediate attention."

From the Rev. Donald V. Fallon,

C. M., of the religious information bureau of the Supreme Council, Knights of Columbus: No reply or acknowledgment of any kind.

From the Rev. Robert C. Hartnett, S. J., editor of *"America,"* on July 22: "... Perhaps our author was confusing Norway with Sweden on the question of requiring the approval of a Lutheran clergyman for Catholic marriages.

"A Swedish lady called on me a couple of years ago. She was a convert to Catholicism and told me then that in Sweden Catholics had to get the permission of their Lutheran minister to be married as Catholics." (Lichtenstein replied on August 3: "... If your surmise is correct, then I believe you have an obligation to clear up this 'confusion' in your own pages, where the 'confusion' has been spread. It seems to me, further, that you have an obligation to check with Swedish authorities on the assertion made by the 'Swedish lady. . . .' I have done this for myself and have received a reply asserting that 'anybody' in Sweden is free to marry in any faith whatever without the consent of 'any authority,' except that

Swedish law requires '[Lutheran] Church authorities' to verify that the marriage partners are not minors, afflicted with certain diseases or otherwise disqualified for marriage for reasons having 'nothing whatsoever to do with the creeds of the parties concerned.' [In a subsequent phone conversation with a Swedish official, Lichtenstein verified the fact that while marriage banns must be published by the Lutheran Church in Sweden, it does not in practice impose any restrictions on the marriages of non-Lutherans.]" Father Hartnett has not replied to this second letter.)

From James O'Gara, managing editor of *"The Commonweal,"* on August 1: "... I wonder if you have the whole text on what the Bishop of Oslo said. The sentence as it stands seems open to several interpretations. . . ." (Lichtenstein replied on August 3: "The statement of Oslo Bishop Jac. Mangers which I quoted . . . was the entire text of the statement. I do not see any ambiguity in it and would appreciate an amplification from you as to the 'several interpretations' which you think are possible. . . ." There has been no further word on this point from O'Gara.)

Another interesting aspect of the Knights of Columbus advertisement which made the charge against Norway has been brought out by George A. Cornish, professor of science at the University of Toronto (letter published in *The Christian Century* of August 10):

(Continued on next page)

### BISHOP MANGERS' STATEMENT

This is to certify that there is no Norwegian law which requires the approval for catholic marriages of a Lutheran or a non-Catholic clergyman.

Therefore I trust that the mistake in the statement of Bishop Griffiths will be rectified.



+ Jac. Mangers  
Catholic Bishop of Oslo

The full text of the Oslo Bishop's statement is reproduced above (on a reduced scale). To conserve space, the top of the letterhead and the dateline (July 14) have been omitted.

CHURCH AND STATE



## White House Turns Down Anfuso Bid on Vatican

The United States has no basis for intervening in the current crisis in Argentina, Congressman Victor L. Anfuso of New York was told by Presidential Assistant Sherman Adams in a letter of July 11. Adams was replying on President Eisenhower's behalf to a letter of June 24 in which Anfuso had urged the Administration to protest "the mistreatment and persecution of Catholics and the Catholic Church in that country" and to immediately appoint an envoy to the Vatican "as a gesture of friendship and of our desire to promote world peace and understanding."

"We continue our unreserved support of our national principles and position on religious freedom and tolerance, and our Government will continue its efforts to advance these ideals internationally," Adams wrote. "Such steps must, however, be consistent with the doctrine of non-intervention which is an integral part of

current United States foreign policy. For historical reasons this doctrine is particularly significant in our relations with our sister States of Latin America. It is embodied in the Charter of the Organization of American States, adopted at the Ninth International Conference of American States at Bogota, Colombia, in 1948, to which the United States is a party. . . .

"In reference to your suggestion that diplomatic relations be established with the Vatican, the President's attitude remains what it has been in the past." The most recent previous indication of the Administration's "attitude" had been a statement by Secretary of State John Foster Dulles in the spring of 1954 that there were then no plans "to alter the present situation" with regard to U. S. relations with the Vatican ("Church and State," April, 1954).

## Oslo Bishop

(Continued from page 4)

"The [Knights of Columbus advertisement] entitled 'Andrew Jackson . . . in Defense of Catholics' . . . gives, in quotation marks, a supposed extract from a speech of Jackson when he was a member of the United States House of Representatives for a few months in 1797. As after a careful search of the official record, 'Annals of Congress,' I found no such address, I wrote to the Knights of Columbus to ask where it could be found. They lightheartedly informed me that they had made a mistake and that the speech had been delivered by Andrew Johnson, a lesser light.

"I found the speech in the official appendix to the *Congressional Globe*, Jan. 21, 1845, at page 221. But the quotation in the advertisement is not part of Johnson's speech at all, but an extract, quoted by him, from a political pamphlet by an anonymous author for the purpose of catching the Roman Catholic vote for the Whig party. The alleged quotation as printed in the advertisement gives an entirely false impression. In reality it is not a bona-fide quotation at all. The K. of C. editor has selected a series of sentences scattered through the pamphlet. Where it suits his purpose he has omitted words, phrases or sentences, and then arranged the mutilated fragments, not in the succession in which they occur in the pamphlet, but in an order to suit his purpose. Where parts are omitted from quotations, it is con-

sidered proper that the omissions should be indicated by three periods (. . .), but this editor, by neglecting the proper conventions, makes the reader believe that he is reading the exact words of the writer. . . ."

*Not only have the Knights of Columbus failed to retract the false statements which have been specifically pointed out to them in the text of this advertisement, but the organization has brazenly continued to perpetrate its frauds. On August 14, for instance, shortly before this issue of Church and State went to press, the advertisement was published without any change in Parade magazine.*

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## Air Force 'Pick-a-Faith' Drive Called Dictatorial

The "Carpenter round-up"—a program initiated by Major General Charles I. Carpenter, United States Air Force chief of chaplains—has been sharply attacked as a denial of religious liberty. In a letter published in *The Christian Century* of July 27, Frank G. Nelson of Long Beach, California, observed:

"According to *Newsweek* for July 11, Maj. Gen. Charles I. Carpenter . . . has embarked on a campaign to round up young religious laggards: 'Each of the 1,200 boys who join the air force each month is interviewed by a chaplain during his first day in uniform. Next, the recruit must either (a) specify a faith he prefers or (b) mark himself an atheist. Nearly all pick a faith. Then they must attend

lectures. . . . The implications of this program are shocking.

"In the first place, 'atheist' has become virtually an interchangeable term of abuse with 'Communist.' A lad foolish enough to brand himself the former risks suspicion of being the latter, in the air force and years after he has served his term. Thus the program puts a premium on hypocrisy. At the same time, it makes no distinction between all those who for one reason or another shun identifying themselves with organized churches and creeds; under 'atheist' it lumps all shades of agnostics, humanists, deists, pantheists, materialists, and spiritually minded individuals who are still struggling to replace childhood indoctrination with a mature faith. . . .

"And what of those who do 'pick a faith,' honestly or prudently? *Newsweek* says, 'What goaded Carpenter was the revelation, five years ago, that one out of four new air force volunteers, mostly teen-agers, have never joined a church.' Presumably, the compulsory lectures are designed to make them join a church. But what church? Can any Protestant chaplain present objectively the conflicting claims of such varied denominations as Anglicans, Unitarians, Baptists, Mormons, Presbyterians, Christian Scientists, Lutherans (Wisconsin Synod) and Jehovah's Witnesses? Remember, too, his captive audience consists of homesick and confused adolescents, already undergoing indoctrination in the basic military creed of 'Believe what you're told, do what you're told, and ask no questions.' Under such conditions, can we be sure no recruit will be subjected to ecclesiastical brain-washing?

"But let us assume that the program is administered intelligently, and with scrupulous impartiality. . . . Even so, the compulsory lectures are a breach of our American tradition of religious freedom. Gen. Carpenter may well have been perturbed at the lack of church membership among air force recruits. But he would do well to reflect on Roger Williams' words, written well over 300 years ago: 'All civil states with their officers of justice in their respective constitutions and administrations are proved essentially civil, and therefore not judges, governors or defenders of the spiritual or Christian state and worship.' . . ."

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See page 8 for notice of POAU's 8th National Conference, January, 1956.

## 'Guiding Light'

(Continued from page 1)

right to carry on her divine mission. The more radical leaders, inheriting the anticlerical spirit born of the French Revolution, tried to uproot religion and annihilate it completely. Between these two extremes were the varying degrees of liberals. They wanted to free the State from the 'oppression' of the clergy by robbing the clergy of their rights and reducing the Church to the status of a private society merely tolerated by the will of the State.

SEPARATION OF CHURCH AND STATE. The modern age has witnessed a general disregard for the harmony, co-operation, and natural recognition of rights that should exist between Church and State. The totalitarian State, claiming complete supremacy over man, is not a new idea; it is but the climax of a series of events which would tear the Church apart from the State.

"Liberalism of this kind was the background for the expression *separation of Church and State*. . .

"In 1864, however, Pope Pius XI issued the *Syllabus of Errors*. In it he condemned the proposition, 'that the Church must be separated from the State and the State from the Church.' He condemned this idea only as a universal rule. Later, he approved of the teaching that unfortunate conditions might exist which would require the acceptance of the separation of Church and State on a reasonable basis. In fact, under present conditions, with so many different religions in the State, union of Church and State might work more harm than good."

Finally, the chapter turns to the "SITUATION IN THE UNITED STATES" (p. 101), saying:

"Although we still use the term *separation of Church and State* to describe conditions in the United States, there is nothing in our country that even approaches the dangerous cleavage existing in the France that first gave rise to the expression. Our Constitution forbids that any one religion receive official and exclusive recognition, but at the same time it also insures the free exercise of any religion. We have in this country at least a partial union of the State with religion.

"The progress of the Church in the United States proves that harmony and cooperation are possible and productive of fruitful results. Our government at least demonstrates its con-

cern for morality and basic Christian principles. It does in some degree make the public profession of religion which Pope Leo XIII set down as the duty of the State. . . ."

Other portions of the book—particularly Chapter 34 on "Practice and Promise in Education" (pp. 538-553)—further develop the theme that the Roman Catholic Church has been divinely chosen to rule over the hearts and minds of men, with government assistance.

*Christian Principles and National Problems* makes a fitting companion to *Living Our Faith*, Book Three of "The Catholic High School Religion Series," which was discussed by *Church and State* in the September, 1952 issue.

(The illustrations accompanying this story were reproduced from *Christian Principles and National Problems* on a slightly reduced scale.)

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## Bay State Adoption Law Fought by Jewish Couple

A sensational story of foster parents risking jail rather than give up the 4-year-old child they have raised since infancy has brought the controversy over Massachusetts' adoption law to a head. The foster parents are Mr. and Mrs. Melvin Ellis of Brookline; the child, Hildie McCoy; the natural mother, the former Marjorie McCoy, today Mrs. Marjorie Doherty; the natural father, unknown, but alleged by one anonymous informant to have been Jewish.

As this issue of *Church and State* goes to press the Ellises are faced with habeas corpus and contempt-of-court proceedings for having defied an order of Norfolk County Probate Court Judge James F. Reynolds to surrender Hildie under a 1950 state statute requiring that adoptive parents must be of the same faith as the child "when practicable." The Ellises are Jewish and the natural mother Roman Catholic.

Criticism of the state law has come from various quarters, Jewish and Protestant, while signs of a break in the seemingly solid Roman Catholic support of the statute appeared recently when Gloucester District Court Presiding Judge Edward Morley, a well-known Catholic, called the measure "the offspring of religious bias and prejudice."

"It is time for all fair-minded people," Judge Morley said, "to insist that this statute be repealed and that

(Continued on next page)

## Renews Invective Against NEA Book

Under the title, "NEA Pulls a Boner," the Rev. Thurston N. Davis, S. J., associate editor of the Jesuit weekly, *America*, contributes his bit in an *America* article of July 2 to the machine-like clerical assault on the National Education Association's recent booklet, *Public Education and the Future of America*. This is the same Father Davis who last November 7 bitterly attacked the "integrity" of Columbia University Teachers College Professor R. Freeman Butts in a public address and then later declined to give the evidence for his charge on the ground that it was a private matter between himself and the professor (*Church and State*, January, 1955).

Editor Davis' lurid description of *Public Education and the Future of America* is in the same class with the distortions and misrepresentations of James Francis Cardinal McIntyre and other prelates who assailed the booklet early this year (see "Clerics Give New NEA Book Old 'Treatment,'" *Church and State*, March). He contends that it "ignores the immense contribution of America's private schools [and] assumes the desirability of an educational monopoly by the public-school system," consigns Jews, Lutherans, Quakers, Episcopalians and Ethical Culturists as well as Roman Catholics "to an educational ghetto . . . [as] second-class citizens," and is undergirded by a "vicious philosophy of education." To find out how far off-base these Davis strictures are, readers should send to the National Education Association, 1201 Sixteenth Street, N. W., Washington 6, D. C., and obtain copies (\$1.50 each, with discounts allowed on quantity orders).

Father Davis' contention that publication of the booklet was an NEA "boner" is made to the accompaniment of remarks concerning the forthcoming White House Conference on Education, scheduled for November 28-December 1, ending with his exhortation that every preparatory conference "should closely and critically examine this booklet which purports to speak with such authority for American public education." If the conferees take Father Davis up on this, the question will then arise: "Who has made the 'boner'—the NEA, or Father Davis and his colleagues?" Discovery by the conferees of the true nature of the booklet can only reflect on its critics.



## Moral Re-Armament Group Got Cut-Rate Air Service

Nearly 200 members of a Moral Re-Armament (MRA) troupe traveled in high style on a summer tour of Asia and the Middle East as the United States Air Force authorized use of Douglas C-118 airplanes of the Military Air Transport Service to transport them at "government" rates. Instead of the \$775-an-hour rate which non-official civilians are ordinarily required to pay, the MRA members were charged \$325 an hour—just as if they were traveling on official business of a United States Government agency—and were not required to pay in advance as provided in Air Force regulations.

The full story emerged slowly after resentment was expressed in India over the apparent military endorsement of the troupe, which was promoting the MRA gospel of "absolute" moral standards by presenting a musical play, "The Vanishing Island," in each country visited. Persistent questioning by reporters drew the explanation that Air Force Secretary Harold E. Talbott (who later resigned because of other difficulties) had personally approved the special service to MRA, a move which pleased twenty-three Senators and Representatives who had been active on MRA's behalf.

A letter from Editor S. S. Mariswamy of the journal, *Imayam*, published in Madras, India, appeared in the *Washington Post and Times-Herald* of July 25, warning of the "damage done to American prestige in South India" by the MRA-Air Force tie-up. Editor Mariswamy continued: "We in South India who have had previous experience with MRA are at a loss to understand how a country which prides itself on freedom of religion, and the divorce between religious organizations and the state, can officially sponsor a controversial organization in Asia. . . ." He also asked: "Do the American taxpayers know their money is financing this religious group? People here ask, 'Can this be true?'"

According to Ray Purdy, an MRA director, the flying troupe had 196 members of whom 55 were Americans, 25 other nations being represented. He said they were spreading "inspired ideology for democracy that would remake the world on a basis of moral standards and the guidance of God." (MRA is an outgrowth of the so-called Oxford Group founded by Dr. Frank Buchman, an American, in England in 1921.)

The current tour began in Manila on July 5, before any government aid had been assured. "S. O. S." messages were sent to Washington legislators and officials asserting that commercial air transport was not available. Defense Secretary Charles E. Wilson was asked for help, and he referred the question to Talbott with a memorandum suggesting that the Air Force temporarily turn back some commercial planes that it operated under charter and let their owners carry the group. Secretary Talbott and his advisers, however, decided that it would be simpler to use military transports.

*Time* magazine (July 18) estimated that U. S. taxpayers would pay \$135,000 of the cost, while MRA itself would pay only about \$97,000.

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## Fears Franco's Sins Will Stain Church After Death

What will happen to the Church in Spain after the demise of Dictator Francisco Franco? Considerable fear on that score has been expressed by Rafael Calvo Serer, Madrid University professor of modern history, in a 20,000-word typewritten pamphlet which, according to *New York Times* correspondent Camille M. Cianfarra, "has been circulating privately for some time, because the official censorship bureau has forbidden its publication."

Cianfarra, in a July 12 dispatch from Madrid, indicated that the pamphlet has been circulated by a Vatican-approved laymen's order having headquarters in Rome and known for short as Opus Dei, its full name being Societas Sacerdotalis Sanctae Crucis et Opus Dei. Professor Calvo Serer is described as a member of this militant group, an affiliation he shares with many government officials, although their membership is usually kept secret.

In Spain, Cianfarra notes, the order "appears to be mainly concerned over anti-clerical feeling presumably resulting from the belief that the Roman Catholic Church unreservedly condones and supports all Government policies."

Entitling his work, *Spain After the Treaties*, the Madrid University professor, after praising Franco for having established "order and tranquility," ended "class struggle" and promoted some "grandiose public works," continues with a warning:

"The present regime is a personal regime. Its only source of authority

is that of the person who is at the head of the state. . . .

"... the perpetuation of the present state of affairs, which does not take into account what may happen later, is tantamount to merely delaying anarchy."

Meanwhile, other dispatches from Spain demonstrate that the government is continuing to protect the established Roman Catholic Church from the competition of other churches and societies. Twenty-one free-masons are serving lengthy prison sentences in Barcelona and Madrid for having attempted to organize a lodge. Nine Spanish delegates to the World Baptist Alliance Congress, held in London in July, were denied visas and prevented from attending.

No wonder Opus Dei fears a wave of "anti-clericalism" in Spain!

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## Adoption Law

(Continued from page 6)

the welfare of the child be again made the important element in determining the advisability of allowing a petition for adoption." He condemned the law for requiring "innocent children [to be] torn from the only parents whom they have ever known," and observed: "Children living with their natural parents may go to church or may stay home from church. The state does not interfere. For what sound reason should it interfere when a child is placed out for adoption?" Judge Morley also questioned the statutory provision that "if there is a dispute as to the religion of the child its religion shall be deemed that of its mother." The judge asked: "Why should its religion be deemed to be that of its mother any more than it should be deemed to be that of its father?"

The same stand was taken by Probate Court Judge John C. Leggett, a Protestant, of Lowell, and by such Protestant leaders as the Rev. Myron W. Powell, secretary of the Massachusetts Congregational Christian Conference, Dr. Kenneth L. Patton of Boston's Charles Street Universalist Church and the Rev. Charles N. Forsberg, field secretary of the Massachusetts Baptist State Convention. But *The Pilot*, organ of the Boston Roman Catholic Archdiocese, condemned Judge Morley's viewpoint.

For previous stories involving interfaith child custody disputes in Massachusetts, Illinois, Ohio and Pennsylvania, see *Church and State*, November, 1954, and January through May (inclusive), 1955.

## Haitian Treaty Omission Seen as Planned Maneuver

No Senate action was taken in the first session of the 84th Congress on the pending Treaty of Friendship, Commerce and Navigation between the United States and Haiti—which means that a push for ratification will probably occur in the second session. *The Christian Century* warned against adoption of the treaty in an editorial of July 27 which took note of the earlier correspondence between the State Department's Howard A. Cook and this review's Stanley Lichtenstein (*Church and State*, May) concerning the omission of the religious-freedom guarantee which had been traditional in such treaties. This is the way *The Christian Century* sized the situation up:

"... Omissions such as have been noted do not just happen—not in treaties between sovereign nations. And since Haiti is so dependent on the United States for its commercial welfare, it is not unreasonable to conclude that all protections of religious freedom were left out of this treaty because the United States wanted them left out. Certainly if the U. S. had insisted on keeping them in, they would have been kept in.

"We do not know what the solution is of this mystery. But we will venture a guess. We acknowledge that it is no more than a guess, but read it and see whether you think it could be the answer. The United States, said the Cook letter to Lichtenstein, now has 'four or five' more treaties 'in an advanced stage of negotiation with other countries.' Some of those countries, we understand, make no constitutional provisions for religious liberty. One of the treaties, probably the most important of the lot, is said to be with Spain. A treaty with Spain

containing the usual religious freedom clauses in standard U. S. treaties might, indeed, encounter real difficulties. But if a supposedly unimportant treaty could be ratified, say with some little country such as Haiti, which did not contain such clauses, then a precedent would be set . . . ?

"Just conjecture? Yes, conjecture. But are not the mystery and the conjecture, taken together, enough to suggest that the Haitian treaty is not something the Senate should rush through without searching study, open hearings and plenty of time for consideration? . . ."

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## Rogers Memorial Fund Established

A significant study in the field of church-state relations will be published by POAU each year out of resources provided by the Elmer Ellsworth Rogers Memorial Fund, it was decided at the semi-annual meeting of the board of trustees on June 28.

Since Mr. Rogers' death in February, 1954, his associates in the struggle for religious liberty had been seeking a suitable means of perpetuating the memory of the POAU founder and long-time publicist for the Ancient and Accepted Scottish Rite of Freemasonry, Southern Jurisdiction. The idea for the fund came from Dr. Charl Ormond Williams, a fellow POAU founder, and was heartily concurred in by Mrs. Elmer E. Rogers, who made the initial contribution. Friends of the late and doughty warrior who have contributed to the fund include Dr. Williams, POAU Executive Director Glenn L. Archer and Treasurer E. H. DeGroot, Jr., Dr. L. I. Barrows of Fort Lauderdale, Fla., and Miss Eleanor Hadley of Washington, D. C.

## May Appeal Pennsylvania Child Care Fund Ruling

The Pennsylvania Supreme Court and possibly the United States Supreme Court may be asked to rule on the validity of the use of public funds to place child wards in sectarian welfare institutions. On June 23 the Allegheny County Common Pleas Court reversed an earlier ruling which had held such use of public funds unconstitutional (*Church and State*, September, 1954). Judges Henry Ellenbogen and John J. Kennedy found that county, though not state, funds could be used to defray costs of child care in sectarian institutions, holding that the money aids the child and not the institution.

### Dissent

Judge A. Marshall Thompson, chancellor of the court and author of the earlier ruling, dissented, saying that if the majority opinion is upheld it will result in "chaos in the matter of appropriation of public funds to religious bodies."

The case was brought by Fred A. Schade, Edward L. Evans, Harper B. Storer, Mr. and Mrs. Frances E. Storer and Martha Klein, "for themselves and in behalf of all other taxpayers of Allegheny County. . . ." The Rev. Dr. Frederick Curtis Fowler, a POAU national adviser then a resident of Pittsburgh (now of Duluth, Minn.), worked with the plaintiffs on details of the case. POAU is now conferring with attorneys on the question of an appeal.

## Goslin, Yost to Speak At 8th POAU Conference

POAU's Eighth National Conference on Church and State will take place January 25-26, 1956, in Washington, D. C., and will culminate with the traditional Thursday-night mass meeting in Constitution Hall (January 26). There will be two principal speakers: Dr. Willard E. Goslin, head of the Division of School Administration and Community Development at the George Peabody College for Teachers, Nashville, Tenn., and former schools superintendent at Minneapolis, Minn., and Pasadena, Calif.; and Dr. Frank H. Yost of POAU's executive committee, co-author with Dr. Alvin W. Johnson of "Separation of Church and State in the United States" (1948) and editor of "Liberty," a Seventh-day Adventist quarterly.

Watch forthcoming issues of "Church and State" for program details. Mark your calendar for this event.

### CHURCH AND STATE

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